

VZCZCXRO2458
RR RUEHDBU RUEHFL RUEHKW RUEHLA RUEHROV RUEHSR
DE RUEHSQ #0786/01 2671650
ZNY CCCCC ZZH
R 241650Z SEP 07
FM AMEMBASSY SKOPJE
TO RUEHC/SECSTATE WASHDC 6559
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE 0046
RUEAWJA/DEPT OF JUSTICE WASHDC
RUEAIIA/CIA WASHINGTON DC
RUESEN/SKOPJE BETA
RUEHNO/USMISSION USNATO 3708

C O N F I D E N T I A L SECTION 01 OF 02 SKOPJE 000786

SIPDIS

SENSITIVE
SIPDIS

DEPT FOR EUR/SCE PAUL PFEUFFER

E.O. 12958: DECL: 09/24/2017

TAGS: [PGOV](#) [PREL](#) [MK](#)

SUBJECT: MACEDONIA: DEADLOCK ON STATE JUDICIAL COUNCIL
NEARS RESOLUTION

REF: A. SKOPJE 766

[1](#)B. SKOPJE 567 AND PREVIOUS

SKOPJE 00000786 001.2 OF 002

Classified By: POLOFF MNEISULER, REASONS 1.4 (B) AND (D).

SUMMARY

[1](#)1. (C) On September 20, PM Gruevski and President Crvenkovski met to follow up on the President's initiative to improve cohabitation and break the deadlock on the State Judicial Council (SJC) and the appointment of Macedonian ambassadors. Later that day, the President, with the Prime Minister's acquiescence, offered to the leaders of the main parliamentary parties (coalition partner DPA, and opposition SDSM and DUI) a compromise proposal on the SJC. The proposal, endorsed on the spot by all but DUI, promises a way out of an impasse that began shortly after VMRO-DPMNE came to power in August 2006. DUI remains inclined to linking the resolution of the SJC impasse with the implementation of the May 29 agreement (ref B). The Ambassador strongly urged DUI President Ahmeti against such a strategy, which would be viewed here and abroad as DUI obstructionism. We will continue to press DUI to help move the SJC process forward quickly, and without preconditions. End summary.

DEADLOCK ON SJC NEARS RESOLUTION

[1](#)2. (SBU) PM Gruevski and President Crvenkovski met in Crvenkovski's office on September 20 to follow up on his initiative to improve cohabitation and break the deadlock over the composition of the State Judicial Council (SJC) and the appointment of Macedonian ambassadors (reftel A). Only hours after their tte--tte, the two joined the leaders of the main parties in parliament (coalition partner DPA, and opposition SDSM and DUI) to discuss the President's specific proposal on the SJC. (NOTE: DUI's president Ahmeti was on a pre-scheduled trip to Tirana, so the party was represented by DUI VP Rafiz Haliti. END NOTE.)

PRIME MINISTER AND PRESIDENT SURPRISINGLY UNIFIED...

[1](#)3. (SBU) Delivering on his promise "to be constructive" in the discussions, Gruevski accepted the President's proposal on the method for appointing the five remaining SJC members. Gruevski's chief of staff later informed us that the Prime Minister was satisfied with both meetings, but added that "now everything depends on DUI," which had not come forward

to support the proposal. The President's chief of staff assured us that the President "had done everything he could" to move the process forward, and echoed the government's assessment of the two meetings as "a good start."

¶4. (SBU) DPA President Menduh Thaqi also endorsed the President's proposal, but DPA Secretary General and Deputy PM Aliu --who was also present at the leaders meeting-- told us he doubted that DUI was ready for a compromise. SDSM's spokesman applauded the compromise on the SJC, emphasizing that it reflected SDSM's original proposal on appointing professional SJC members, rather than politically-connected candidates. SDSM leaders professed "guarded optimism" regarding a quick resolution of the SJC issue.

ALL EYES ON DUI

¶5. (SBU) DUI's representative at the meeting, VP Haliti, shared with us his surprise at Gruevski's easy acceptance of the President's proposal, which DUI MP Teuta Arifi told us qualified as a "good opportunity for a way out of the deadlock before the EU Commission report in November." Due to Ahmeti's absence from the country, however, neither Haliti nor Arifi felt they could commit DUI to a position. Arifi had, however, indicated to us on September 18 that "the President's proposals were acceptable to DUI," and told us on September 21 "we can be optimists."

¶6. (SBU) According to Arifi, Ahmeti was supposed to discuss the SJC proposal with the DUI leadership on September 22. She told us late the evening of that same day, however, that DUI MPs had been tied up in discussions on the government's proposed amendments to the electoral code all day, and that the party expected to reach a decision on whether to support the President's proposal on Tuesday, September 25.

NO QUID PRO QUO

SKOPJE 00000786 002.2 OF 002

¶7. (C) The Ambassador called Ahmeti late September 23 to urge DUI to reach a quick decision in support of the SJC proposal, citing strong NATO and USG interest in seeing the SJC issue resolved and the parties working together to reach consensus on priority issues. A DUI "yes" on the President's proposal, she said, would reflect positively on DUI both domestically and internationally. We hoped for a DUI decision by September 24, or at least a public statement by DUI that it supported the proposal in principle and would issue a formal decision in favor on September 25. (NOTE: In coordination with us, EUSR Fouere had delivered similar points to Ahmeti several hours earlier. END NOTE)

¶8. (C) Ahmeti initially replied that the delay in the decision-making was due to scheduling difficulties, but then indicated that, although DUI was interested in a "positive outcome" on the SJC proposal, the party also wanted to see movement on implementation of the May 29 agreement (ref B) before it would give its full support for the proposal. He asked for USG support for May 29 implementation, arguing that Gruevski also had to make concessions.

¶9. (C) Noting that there already had been some progress on May 29 agreement implementation, the Ambassador pushed back and advised Ahmeti against trying to use the SJC talks as leverage to get movement on the May 29 agreement. Such a move would be viewed as DUI obstructionism. NATO members at the previous week's presentation of Macedonia's NATO program had made it clear that May 29 implementation was a priority for Macedonia's membership prospects -- that was leverage enough to use with the government.

POSSIBLE AGREEMENT ON AMBASSADORS

¶10. (SBU) In their September 20 tte--tte, Gruevski and Crvenkovski also discussed the issue of the appointment of 10

ambassadors from Macedonia's diplomatic corps. Their respective chiefs of staff informed us that, despite some missteps and misunderstandings, both sides saw a way out of the situation and a possible compromise. PM Gruevski is to get back to the President with an answer regarding his proposal on September 24.

COMMENT

¶11. (C) After months of public squabbles, the PM and the President, joined by the leaders of the main parliamentary parties, seem poised to overcome at least some of their differences and push forward the solution of important national issues, such as the SJC. Despite the undercurrents of petty insults and media smear tactics, our conversations with all important players in the country show that there is cautious optimism about resolving this issue. Clearly a calculated move, the latest flurry of activity between PM Gruevski and the President --which came just days before the review at NATO headquarters of Macedonia's Annual National Program (ANP)-- is a sign that cohabitation is possible when the parties are pragmatic and willing to work towards compromise. The lingering suspicion and disparaging comments from both sides should not overshadow the latest achievements, which all major political parties have welcomed. DUI's as yet undefined position on the SJC is the one cloud in the otherwise positive atmosphere. We have told DUI, and will reiterate, that withholding their approval for the proposal gives them no/no leverage with the Prime Minister on this. Gruevski would be perfectly happy to see Crvenkovski's compromise SJC solution fail because DUI overplays its hand. We will continue to push all parties, especially DUI, to allow this SJC plan to take hold, and to ensure the President's SJC proposal is implemented as quickly as possible.

MILOVANOVIC